

FORM PTO/350  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
030639.0027.US1TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. If known, see 37 CFR 1.5

09/889330

INTERNATIONAL APPLICATION NO.  
PCT/US00/00902INTERNATIONAL FILING DATE  
14 January 2000 (14.01.00)PRIORITY DATE CLAIMED  
14 January 1999 (14.01.99)TITLE OF INVENTION NOVEL EXENDIN AGONIST FORMULATIONS AND  
METHODS OF ADMINISTRATION THEREOFAPPLICANT(S) FOR DO/EO/US YOUNG, Andrew, L'ITALIEN, James J.;  
KOLTERMAN, Orville

Applicant herewith submits to the United States Designate/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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030639.0027.US1

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1-4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIM \$	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	242 - 20 = 222		x \$18.00	\$ 3,996.00
Independent claims	14 - 3 = 11		x \$80.00	\$ 880.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 270.00

**TOTAL OF ABOVE CALCULATIONS =**

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. + \$3,068.00

**SUBTOTAL =** \$3,068.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**TOTAL NATIONAL FEE =** \$3,068.00

Fee for recording the enclosed assignment (37 CFR 1321(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

**TOTAL FEES ENCLOSED =** \$3,068.00

**Amount to be  
refunded:** \$  
**charged:** \$

- a. ☒ A check in the amount of \$3,068.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1273. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Bradford J. Duft, Esq.  
Brobeck, Phleger & Harrison LLP  
12390 El Camino Real  
San Diego, California 92130

(858) 720-2500

SIGNATURE

Edward O. Kreusser, Esq.  
NAME

38,523

REGISTRATION NUMBER

## US NATIONAL APPLICATION

UNDER 35 U.S.C. 371

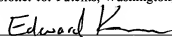
TITLE: NOVEL EXENDIN AGONIST FORMULATIONS AND METHODS OF  
ADMINISTRATION THEREOF

APPLICANT(S): YOUNG, Andrew; L'ITALIEN, James J.; KOLTERMAN, Orville

Correspondence Enclosed:

Transmittal Letter under 35 U.S.C. 371 (2 pgs); Preliminary  
Amendment (5pgs); Check in the amount of \$3,068.00; and Return  
Postcard

"EXPRESS MAIL" Mailing Label Number EL675945955US Date of Deposit July 13, 2001 I  
hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United  
States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the  
date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

  
Edward O. Kreusser